

for the Commission of Fisheries, was on board the Maury. As soon as the oyster shoals were reached, the hundreds of boats left their work and began to crowd about the Maury, a dozen or more gasoline boats towing behind, while members of the committee of the James River Oyster Tenders Protective Association crowded aboard for a conference with Commissioner Lee.

There were threatening gestures and mutterings of a storm, but cooler heads took command. A. J. Montjoy, of Isle of Wight county, was spokesman, with an oysterman named Carter, who, by the way, was one of the crew which assisted in the work of the original Bay Survey. The tongs were vehement in demanding their rights, but denied any intention of engaging in wholesale lawlessness. There had been a meeting at Battery Park harbor the night before, they explained, at which it had been determined that the planters had moved their stakes in some cases as much as fifteen hundred yards onto public rocks.

Demand Rights. "We want our rights," said Mr. Montjoy. "We want them and we have decided that we will have them, cost what it may. We do not propose any violence if we can get what we want to us. All we want is a square deal."

Commissioner Lee and Surveyor Ruediger assured the tongs that they would be fairly treated; that the survey of the lines would be begun at once; that the angles and lines would be plainly marked, if possible with concrete pillars, or cedar posts driven fast in the ground, so that they could not readily be pulled up and moved as has been the case with the light markers heretofore used.

Under the closer discussion, the differences melted down, and when a large number of the tongs had gone back to their work a committee remained, to which Surveyor Ruediger exhibited his maps and charts, explaining from the records where the lines of the Bay Survey should come. All parties left in the best of feeling, and Surveyor Ruediger took the yacht *Blanche*, under Captain J. H. Coston, and at once began to take backlogs and run preliminary lines to establish the starting points for the main surveys of the York, James and other rivers in Isle of Wight and Warwick counties included in the Bay Survey, after which surveys will be made in accordance with special acts of the Legislature, subsequent to the Bay Survey, making public certain tracts of oyster bottom in Isle of Wight county.

Leaves for Richmond. Commissioner Lee left to-night via Hampton for Richmond for conference with the authorities, and will return in the morning. He will be accompanied by Mr. Montjoy, of Isle of Wight county, and Mr. Maury, of the tongs, who will be assisted by the smaller police boats. Mr. Lee says he has no thought of asking for troops; that a militia would be of but little use without many additional vessels of a type suited for patrol work. He proposes to secure from the Secretary of the Commonwealth and other State officers the memoranda and notes for the correct surveys of original lines, and other matter to take up with the State Dairy and Food Commission the method of inspection at the oyster-packing plants. While agreeing that there should be a right inspection and every safeguard of health, he is around the shipping of oysters, Mr. Lee thinks the regulations as at present enforced work a hardship, especially on the smaller packing houses, which, under their terms, are not in a position to compete with larger rivals.

Inspector Kilby, who has been especially active in prosecuting violations of the oyster laws in the lower James River, will accompany Surveyor Ruediger, and the tongs have been notified to have a committee aboard the survey boat to see that the lines are fairly run, in accordance with the law adopting the Bay Survey, as public oyster grounds. The packers may also have representation on the survey boat, though it is believed that they will prefer by injunction to prevent any change in existing lines, and not in a position to compete with larger rivals.



Enables an ordinary cook to make extraordinarily good "goodies."



Baking Powder has more to do with successful housekeeping than most people suspect.

If you are minus good cooking, add GOOD LUCK to your grocery list.

At your grocery store.

The Southern Manufacturing Co.

RICHMOND, VA.



FACILITIES

Unsurpassed, SKILL and EXPERIENCE in the grinding of Lenses and correct adjustment of Glasses account for our superior and satisfactory service. Prescription Work our specialty. The best is none too good for the eyes.

The S. Galeski Optical Co.

HEADQUARTERS FOR EASTMAN KODAKS

Artistic Developing and Printing

MAIN AND BROAD AND EIGHTH AND THIRD



Our Fall crop is in and it's in prime condition.

It escaped the frost and rust; there was no drought or mildew and in every point—style, quality, fit and price, you will find it the best ever.

From your intelligent head to your delicate feet here are the correct wearables.

Suits for business, \$18 to \$38. Dress regalia, \$30 to \$40. Hats, \$1.50 to \$6.

Shirts, Neckwear, Hose, Handkerchiefs, Special Vests, Shoes.

Extra Trousers, Underwear and Pajamas.

All ready—all right. For Men or Boys.

C. H. Perry & Co.

the Bay Survey or not. The survey will take several weeks.

Commissioner Lee said that the present Commission of Fisheries should not be blamed for much of the trouble which has been occasioned by twenty years' delay before the commission was organized. For the past five years the commission has declined to accept of oyster grounds in James River adjoining the public beds, fearing that it would lead to just such a clash. The old contracts, some of which yet have years to run, will be lived up to, except in cases where it is shown that either by mistake on the part of the commission's survey or because of oyster stakes some planters are occupying ground declared by the Legislature to be public bottom. In such a case the courts will be resorted to to compel the offender to move from public land, contract or no contract, the Supreme Court having already held the Bay Survey valid, and declared that the commission had no authority to lease public lands to private parties. Mr. Lee occupies the embarrassing position of having to steer between the packers and the tongs. He has received an extended letter of protest from seven packing firms operating about Hampton. The packers assert that the commission complied with the terms of the law, and that they have a right to hold and occupy their assignments of oyster planting grounds. They demand that the commission should protect their boundaries, and that they should be paid for the use of the grounds. They claim that the State's failure to protect their boundaries has resulted in the loss of their grounds to trespassers and violators of the law have not been prosecuted. They intimate that unless the State acts to protect their rights, they will be forced to leave the grounds and the commission will be held responsible for the loss of their grounds and the loss of their livelihood.

Will Maintain Order. Commissioner Lee takes the ground that his duty is to maintain order and resurvey and replacing of the stakes.

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COMING HERE FOR OYSTER CONFERENCE

Peaceful Settlement Relieves Necessity of Calling Out Troops—Text of Planters' Appeal to the Governor.

For the purpose of further considering the oyster situation in the James River bottoms, the State Commission of Fisheries will hold a meeting this morning at 11 o'clock at Murphy's Hotel, Secretary S. William Mathews, of Accomac, arrived last evening to attend the meeting.

The commission will probably consult with the Governor and the Attorney-General as to the next steps to be taken in view of the peaceful nature of the settlement between Commissioner Lee and the tongs. It is presumed that not much aside from the legal aspects of the resurvey will be considered.

Although Mr. Lee had apparently contemplated asking for militia to aid in keeping order in the lower James River, it was evidently thought of in some quarters. Adjutant-General W. W. Sate was in waiting yesterday at the home of parents in Rockbridge county, ready to take a train for Richmond if notified to do so. His office was in readiness to execute any orders which might be received. There was much comment about the Capitol yesterday regarding the river situation, and relief was expressed last night at the evident desire to keep the peace.

Planters' Appeal. The formal notice filed by the planters with the Governor and the Commissioner of Fisheries, in which the State is not properly protecting them in maintaining possession of the ground which it has leased to them, and which notice they will hold the State responsible for loss and damage, is as follows:

"September 15, 1910. To the Commonwealth of Virginia, His Excellency, William Hodges Mann, Governor, Richmond, and Hon. W. W. Sate, Adjutant-General, Commission of Fisheries, Irvington: "The undersigned oyster planters who have complied with the requirements of law authorizing them to hold and occupy their respective assignments of oyster planting ground in James River, hereby respectfully but urgently request to the Commonwealth of Virginia, and its agents, the necessity for immediate action to protect us in the lawfully used and occupancy of the planting grounds removed in Wednesday's raid should be a sufficient assurance to the planters that the State will maintain order. He says it is entirely in the province of any planter to prefer charges against those who encroach on his moving lands. Many of the names are known. He does not hold it to be part of his duty in polluting the oyster grounds to bring such charges, but says if they are brought, he will aid in the prosecution. One factor that has gone far to reduce the probability of immediate trouble is the enormous yield of oysters from the James River rocks, far exceeding that of previous years, and seeming to confirm the policy of the present commission of maintaining strictly a closed season during the summer months. More than 2,000 boats were on the various shoals in James River on Monday, and the yield of oysters suitable for planting exceeded 40,000 bushels. Darling & Company alone bought 10,000 bushels on that day. To-day the weather has been perfect, and it is believed that when all the boats have returned to their loads, the yield will exceed that of yesterday, and establish a new high record for this market. The price for seed oysters is 15 cents a gallon, the lowest on this market for many years, but the crop is so plentiful that the tongs make little or no complaint. Those who bought the tongs this morning said there were between 4,000 and 5,000 men and boys on the James River, and that they were working from \$4 to \$7 per day, and could probably keep it up until Christmas.

Commissioner Lee says that while he is very much opposed to the policy of the Bay Survey or giving up the policy of maintaining public rocks for the use and benefit of all citizens of the State, he would favor a new survey or a straightening of the line on a give and take basis, which would give straight lines, more readily policed, and which, to accomplish that end, might take in some bottoms now leased and leave out some rocks now open to the public.

Statement by Armstrong. [Special to The Times-Dispatch.]—Newport News, Va., September 20.—M. C. Armstrong, of the packing firm of Armstrong Bros., emphatically denied to-night that his firm had moved its stakes to the Parker River rights," he said. "They were moved twenty-three years ago, before the Bay Survey, and we had the rocks guaranteed by a law passed in 1887. We have 500 acres. We have declined to recognize the agreement made by Mr. Lee with the tongs, because we were within our rights; that we had violated no law, and should not be asked to give up what we had lawfully acquired. We have served another notice on this afternoon through Inspector Lawson, of Hampton, to quit dredging until the new survey is made.

"We will ignore it, as we can't afford to shut up shop at this season. He has promised the tongs more than he can deliver. We have an injunction prepared in the event any of our stakes are moved. We will not stop work within our own grounds and go to court, and Mr. Lee will have to make out his case there."

Norfolk Troops in Readiness. [Special to The Times-Dispatch.]—Norfolk, Va., September 20.—From 4 until 9 o'clock this evening three companies of the State militia, forming the Norfolk Battalion of the Second Regiment, were under orders and arms at the local armory awaiting orders to be sent to the oyster grounds of the James River. A fast tug, under order by the State, was ready to rush the troops by order of the Adjutant-General of the State, Colonel Nottingham was designated to command.

The men assembled promptly, as follows: Companies A, B and E, and all was bustle until everything was gotten in readiness. The calling of the unit was distributed. Following a conference over the long distance telephone with Governor Mann and the Adjutant-General, the men were dismissed with orders to reassemble at the armory at 10 o'clock to-morrow. No explanation was given as to the order, but it is understood that there are fears that the troops will yet be needed.

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Wesson Snowdrift Oil

Combines in one superior article the best qualities known FOR BAKING, FRYING AND SALAD DRESSING.

It is wholly vegetable, odorless, tasteless, 100% cooking value, and 20% more economical than lard, and 33% more economical than butter, or olive oil.

Sold by leading dealers. Made by THE SOUTHERN COTTON OIL CO.

New York New Orleans Savannah Chicago

THE SOUTHERN COTTON OIL CO.

First and Broad Richmond, Va.

CONCLUDING TAX HEARING IS HELD

Old Dominion Files Papers. No Decision Yet as to Assessment.

Ending the tax hearings before the State Corporation Commission, representatives of the Old Dominion Steamship Company yesterday morning appeared and laid some facts and some arguments before the commission regarding the value of its property. This includes the steamer *Lurray* and other visible and taxable holdings of the company.

During the regular hearings, Judge E. E. Montague, of Hampton, representing Elizabeth City county as Commonwealth's Attorney, appeared and objected to the return made by the Old Dominion Company, as not representing a sufficient valuation. Further time was given in which to make representations as to the assessment.

The county was not represented yesterday, while Walter H. Taylor, of Norfolk, as counsel, and E. E. Palas, of New York, secretary, appeared for the company. They objected to any such valuation of the *Lurray* and the other property in Elizabeth City county as suggested by Judge Montague, and gave their reasons to the commission as to why the assessment should not be increased over the figures submitted in the annual report.

No decision has as yet been reached by the commission as to the valuations on the visible property of the public service corporations of the State. It is still believed in many quarters, as first indicated in The Times-Dispatch on September 6, that there will be an increase in the assessment on the tracks and rights of way of the standard roads, and there are whispers that the assessment, if this is done, will be contested in the courts.

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Funeral of Thomas Beach. [Special to The Times-Dispatch.]—Harrisonburg, Va., September 20.—The funeral of Thomas Beach, sixty-six years old, was held this morning, at 10 o'clock, at the residence of his wife, Mrs. Beach, in Strablings Springs, Augusta county. He was a Confederate veteran. He was taken prisoner the last year of the war and confined in Washington city, and afterwards in Fort Warren, Boston, getting his release shortly after the surrender. He was a native of Fairfax county, and leaves his widow, who was Miss Stevens, of Albemarle county, and two daughters, Mrs. Beach, and two brothers, Cornelius and John Beach, of Cochester, Prince Georges county. Members of the Camp of Confederate Veterans, attended the funeral.

A. A. Goodman. [Special to The Times-Dispatch.]—Salisbury, N. C., September 20.—Following a stroke of paralysis, sustained several days ago, D. A. Goodman, a well known citizen of Salisbury, died at his home here yesterday afternoon, having been unconscious for the past two days. He was seventy years old, was an expert tanner by trade, and is survived by a wife and three daughters. The funeral and interment were held to-day.

Frederick Kicherer. [Special to The Times-Dispatch.]—Albany, Va., September 20.—Frederick Kicherer, about forty years old, died yesterday morning at his home, 723 Gibson Street, following a short illness of typhoid fever. His wife and several children survive.

Two Deaths in One Family. [Special to The Times-Dispatch.]—Alexandria, Va., September 20.—Death claimed two members of one family, father and son, within two days of each other, when William H. Mullin and his father, William H. Mullin, died within forty-eight hours. This morning the coffin with both bodies lay side by side in the home of the elder Mullin. This afternoon the younger Mullin was buried. The arrangements for the funeral of the elder Mullin have not been completed.

Ernest Hall. [Special to The Times-Dispatch.]—Blue Ridge, Va., September 20.—Ernest Hall, who for many summers has been secretary of the Oriole Club here, died this morning from a stroke of apoplexy.

Mrs. D. N. Stephenson. [Special to The Times-Dispatch.]—Boydton, Va., September 20.—Mrs. D. N. Stephenson, of Pendleton, N. C., Monday at 6 o'clock. She leaves her husband and nine grown children.

Mrs. Maud A. Irby. [Special to The Times-Dispatch.]—South Boston, Va., September 20.—Mrs. Maud A. Irby, aged sixty-nine, died at the residence of James M. Irby, at Vernon Hill, Halifax county, this afternoon, after a lingering illness. She is survived by Mrs. Prescott Hall, of Boston, Mass.; John Irby, of Danville, Va.; Mrs. R. B. Cooner, of Co-

Capital, Surplus & Profits, \$1,500,000. Write for booklet, "Banking by Mail."

PLANTERS NATIONAL BANK

Capital, Surplus & Profits, \$1,500,000. Write for booklet, "Banking by Mail."

A CABLE AD EVERY DAY

Don't fail to investigate

It is well to note that the INNER-PLAYER brings out the imitators; even though a reproduction of the name and the style of the type used in our trade-mark is the limit of their involuntary flattery.

THE INNER-PLAYER

TRADE MARK PIANO

is away above comparison with any other instrument containing a player device.

Of course you'll see and hear the INNER-PLAYER before you buy. We invite the most critical investigation.

Cable Piano Co.

Madison 2734. 213 E. Broad.

EVERYTHING MUSICAL

the stakes lawfully placed for marking and designating our planting grounds in James River—for us to under- exercise our lawful rights, guaranteed to us by the State under its contract, upon such grounds so as to result in only results in provoking numerous breaches of the peace, and probable bloodshed and loss of lives.

"We are, therefore, so situated and the conditions are such that we are powerless to protect our oyster properties properly, to make further investments for the development thereof, or to secure the profits therefrom to which we are lawfully entitled under our contracts with the Commonwealth.

"This is, therefore, to notify the Commonwealth and its agents of the foregoing facts, to the end that it maintain the obligations incumbent upon it under its contract for land and assignment held by us, respectively, and to notify the State and its agents that we shall look to it and them for indemnity for all loss and damage heretofore and hereafter sustained by us, or by any of us, resulting from its or their failure to observe, perform, maintain and make good that portion of said contracts assumed by it to be done, kept observed and performed for the good of protection.

"Very respectfully, (Signed) J. P. BONEWELL, J. P. BONEWELL, JOHN C. WILSON, JOHN C. WILSON, W. E. TULL, W. E. TULL, J. A. TULL, J. A. TULL, JAMES RIVER OYSTER CORP. (By E. R. Thomas, President; T. A. Sinclair, manager; D. G. Brown, J. P. Stearns, J. J. Vaughan, J. D. G. Brown, E. W. Milstead, T. A. Sinclair and E. R. Vaughan.)

LAST OF BALLOONS LANDS IN SAFETY

Indianapolis Ind., September 20.—The last of the balloons which started in the American championship and free-for-all races at the Indianapolis Motor Speedway last Saturday afternoon has landed and one of the most interesting balloon meets in history is ended.

The "Miss Sophia," William T. Assmann, of St. Louis, pilot, came down at 6:10 P. M. Sunday in the mountains in Calhoun county, West Virginia, miles from any railroad or telegraph office, and the landing was not reported until to-day. The other two balloons which were not reported until to-day are: "The J. H. Wade," of Cleveland, Ohio, pilot, landed at Showalter, Va., at 7:30 A. M. Monday, and "New York," Clifford B. Harmon, of New York, pilot, which landed at Portsmouth, Ct., at 5 P. M. Sunday.

As both endurance and distance are taken into consideration in deciding the three winners of the championship event—the three to represent America in the international meet to be held in St. Louis October 17 next—the victors will not be known until the Aero Club of America passes on the reports of the pilots, and, however, "America II," leads with 44 hours and 27 minutes, or almost three hours behind the American entrants. "Buckeye's" time is estimated at 37 hours and 38 minutes.

The third balloon to represent America probably will be "Miss Sophia," as its distance is estimated at more than that of any other entrant, and its flight is approximately 25 hours and 9 minutes. The nearest competitor for the honor is "Indiana II," Carl G. Fisher, Indianapolis, pilot, which landed near Indiana, Pa., after a flight lasting approximately 24 hours and 5 minutes.

Caught Still and Distiller. Report has been made to the revenue Agent W. H. Chapman by Deputy Collector P. H. Larkin, of Norfolk, that South Quay, Nansemond county, Turner, a white man, was arrested on a charge of operating without a license.

There are no gobwebs on our shelves. Our Drugs are fresh. The pharmacist who has regard for human life permits no old stock in his drug supply, and in this store nothing is submitted to "the test of time." We run no chances. Our conscience is clear.

Childrey Drug Co., Broad and First Sts.

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